



**U.S. Department of  
Transportation**

Office of the Secretary  
of Transportation

**GENERAL COUNSEL**

400 Seventh St., S.W.  
Washington D.C. 20590

**FEBRUARY 16, 2000**

73/68

OST-99-6410-26

Ms. Barbara Allen  
Aspen Hill Travel Consultants, Inc.  
710 McNeil Ln.  
Silver Spring, MD 20905

Dear Ms. Allen:

Senator **Mikulski** has asked the Department of Transportation to respond to your letter to her of November, 1999, in support of the formal complaint that the American **Society** of Travel Agents (**ASTA**) has recently filed with this Department against a number of airlines (Docket OST-99-6410). **ASTA** alleges that in cutting the commissions that they pay travel agents, the airlines are engaging in unfair practices and unfair methods of competition in violation of, 49 U.S.C. §41712.

The airlines filed **their** responses to **ASTA's** complaint on December 10. It is now up to the Enforcement Office to review the -complaint and responses and determine whether, under our statute, the complaint should be pursued or dismissed. Under these circumstances, it would be inappropriate for me to comment on the substance of your letter. You can track the pleadings as well as the Department's actions through our Dockets web site at <http://dms.dot.gov>. Clicking on "search" and then typing "6410" in the space for the docket number and again clicking on "search" will bring up a list of all documents in the docket. Each item can be opened.

The Department's *ex parte* rules, 14 CFR Part 300, require that I place your letter and a copy of this reply in Docket OST-99-6410. Please be assured that **ASTA's** complaint will receive careful and thorough consideration.

Sincerely,

**Samuel Podberesky**  
Assistant General Counsel for  
Aviation Enforcement and Proceedings

cc: **Brian Tate**  
Office of Senator Barbara A. Mikulski

U.S. DEPARTMENT OF  
TRANSPORTATION  
DOCKETS  
CO FEB 29 AM 9:14



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Y/10

Office of the Secretary

January 5, 2000

The Honorable Barbara A. Mikulski  
United States Senate  
Washington, D. C. 20510

Dear Senator Mikulski:

Thank you for your letter on behalf of Ms. Barbara Allen, concerning her complaint against the American Society of Travel Agents. As you know, the Federal Trade Commission has been directed by Congress to act in the interest of all consumers to prevent deceptive or unfair practices and unfair methods of competition, pursuant to the Federal Trade Commission Act, 15 U.S.C. 41 *et seq.* In determining whether to take enforcement or other action in any particular situation, the Commission may consider a number of factors, including the type of violation alleged; the nature and amount of consumer injury at issue and the number of consumers affected; and the likelihood of preventing future unlawful conduct and securing redress or other relief. As a matter of policy, the Commission does not generally intervene in individual disputes. However, letters from your constituents provide valuable information that is frequently used to develop or support Commission enforcement initiatives.

I appreciate learning of your constituent's problem, but the issue described does not appear to implicate any of the statutes enforced by the Commission. Therefore, I have taken the liberty of forwarding your inquiry to the Department of Transportation for their review. I appreciate your interest in this matter, and please let us know whenever we can be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald S. Clark".

Donald S. Clark  
Secretary of the Commission

cc: Director of Congressional Liaison  
Department of Transportation  
400 Seventh Street, S. W.  
Washington, D. C. 20590

BARBARA A. MIKULSKI  
MARYLAND

SUITE 709  
HART SENATE OFFICE BUILDING  
WASHINGTON, DC 20510

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**United States Senate**  
WASHINGTON, DC 20510-2003

November 22, 1999  
901990

Ms. Lorraine Miller  
Director  
Office of Congressional Relations  
Federal Trade Commission  
6th & Penn. Ave. N.W. Rm. 404  
Washington, D.C. 20580

Dear Ms. Miller:

I am writing to request your consideration of the attached correspondence from Ms. Barbara Allen. Please respond directly to Ms. Allen and send a copy to Brian Tate of my staff. If you have any questions, please call Brian Tate at (202) 224-4654.

Thank you for your assistance.

Sincerely,



Barbara A. Mikulski  
United States Senator

BAM:bct  
Enclosure

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World Wide Web Home Page:  
<http://mikulski.senate.gov/>

**ASPEN HILL TRAVEL CONSULTANTS, INC.**

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FAX: (301) 871-3835

November 1999

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710 McNEIL Ln  
Silver Spring MD  
20905

The Honorable **BARBARA MILKUSKI**  
U.S. Senate  
Washington, D.C. 20510

Dear Senator:

Please save <sup>job</sup> ~~my business~~ from airline unfair competition by writing to the Secretary of Transportation and ask him to act favorably upon the American Society of Travel Agents' (ASTA) complaint against airline unfair practices.

ASTA's filing requests the Secretary to use his authority to stop the unfair methods of competition the airlines are using to force travel agencies out of business. The airlines have driven travel agent compensation below the cost of doing business, while also creating a "cost squeeze" that drives up agents' costs with unnecessary and anticompetitive restrictions.

<sup>GM</sup> My small business continues to provide consumers with the last, best hope for getting neutral, professional information and advice about travel service options. If the airlines succeed, consumers will pay more. On behalf of <sup>GM</sup> ~~my~~ clients and employees, we thank you for contacting the Secretary and notifying me or my trade association, ASTA, at 703-739-6842 of your action.

Look forward to hearing from you soon.

Sincerely,

*Barbara Allen*

Barbara Allen

710 McNeil Ln  
Silver Spring MD 20905